A

BILL

TO

Confirm certain Provisional Orders of the Local Government Board for Ireland relating to the Dungar Joint Burial Board and the Portadown and Banbridge Joint Waterworks Board. A.D. 1902.

WHEREAS the Local Government Board for Ireland have made the Provisional Orders set forth in the schedule hereto under the Public Health (Ireland) Act 1878: 41 & 42 Vict c. 52.

And whereas it is requisite that the said Orders should be confirmed by Parliament:

Be it therefore enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

1. The Orders set out in the schedule hereto are hereby confirmed and all the provisions thereof shall have full validity and force. Orders in schedule confirmed.

2. This Act may be cited as the Local Government Board (Ireland) Provisional Orders Confirmation (No. 3) Act 1902. Short title.

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A.D. 1902.

SCHEDULE.

DUNGAR JOINT BURIAL BOARD.

Dungar. *Provisional Order forming a United District under Section* 12 *of the Public Health (Ireland) Act* 1878.

WHEREAS the several district councils named in column 2 of the schedule to this Order are the sanitary authorities within the meaning of the Public Health (Ireland) Act 1878 (in this Order referred to as "the Act") for the several districts named in column 1 of the schedule:

41 & 42 Vict. c. 52.

Now therefore We the Local Government Board for Ireland (in this Order referred to as "the Local Government Board") in pursuance of the powers given to Us by section 12 of the Act and of any other powers enabling Us in that behalf do hereby order that from and after the date of the Act confirming this Order the following provisions shall have effect namely:—

Formation of district.

1. The rural districts named in column 1 of the schedule (in this Order referred to as "the component districts") shall be formed into a united district to be called the Dungar Joint Burial Board District for the purpose of the maintenance and management of the Dungar burial ground.

Constitution of governing body.

2. The joint board which shall be the governing body of the said united district shall consist of eighteen elective members and shall be called the Dungar Joint Burial Board (in this Order referred to as the "joint board")

Members to be elective.

3. The members shall be elected by the district councils (in this Order referred to as "the component authorities") mentioned in column 2 of the schedule.

Number of elective members.

4. The number of members of the joint board to be elected by each of the component authorities shall be that set opposite to the name of such authority in column 3 of the schedule and the said members shall be chosen by each of the component authorities from among its own members

Disqualification

5. Such of the provisions of Article 12 of the schedule to the Local Government (Application of Enactments) Order 1898 as relate to members of district councils shall with the necessary modifications apply to members of the joint board.

Date of first election.

6. The first election of members of the joint board shall take place at a meeting of each of the component authorities to be held within six weeks after the confirmation of this Order or within such further time as the Local Government Board may allow and seven days' previous notice in writing of such meeting shall be given or sent to each member of the component authority by the clerk to such authority.

Notification to Local Government Board of members first elected.

7. The clerk to each of the component authorities shall notify the Local Government Board in writing within seven days after the first election

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the name address and occupation of each of the persons elected by such authority as a member of the joint board.

Annual election.

8. After the first election an annual election of members of the joint board by the component authorities shall take place at the meeting of each of the said authorities held next after the first day of April in each year.

Continuance in office.

9. Each member of the joint board shall continue in office until he dies or resigns or becomes disqualified or vacates his seat for absence or until the next annual election of members of the joint board by the body by which he was elected whichever first happens

Casual vacancies.

10. Any vacancy occurring amongst the members of the joint board shall be filled by the component authority in whose representation the vacancy happens at a meeting to be held within six weeks of such vacancy occurring or within such further period as the Local Government Board may determine and seven days' previous notice in writing of such meeting shall be given or sent to each member of the component authority by the clerk to such authority and such clerk shall forthwith notify in writing the clerk to the joint board the name address and occupation of the person elected to fill such vacancy.

Proceedings at elections.

11. Subject to the express provisions in that behalf contained in this Order the business at elections of members of the joint board shall be conducted and all questions shall be put and decided in the same manner as other business is conducted and other questions are put and decided at the meetings of the component authorities respectively.

Incorporation of joint burial board.

12. The joint board constituted as aforesaid shall be a body corporate by the name of "the Dungar Joint Burial Board" and shall have perpetual succession and a common seal with power to acquire and hold lands for the purposes in this Order mentioned.

Purposes for which joint board is constituted.

13 The united district shall be formed and the joint board shall be constituted for the following purposes:—In order that the joint board shall for the purpose of maintaining and managing the said burial ground possess the powers and perform the duties in respect of the united district of a burial board and for that purpose from and after the completion of the first election of members of the joint board in pursuance of this Order such joint board shall in respect to the united district possess all the powers and perform all the duties conferred and imposed on a burial board by the Public Health (Ireland) Acts 1878 to 1896.

Expenses of joint board.

14 The expenses to be incurred by the joint board in the execution of this Order shall be defrayed out of a common fund to be contributed by the component authorities in the manner provided by section 235 of the Act The contribution of each authority shall be included by such authority in their annual estimate and in their demand to be forwarded to the county council in accordance with section 51 of the Local Government (Ireland) Act 1898. 61 & 62 Vict. c. 37.

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Dungar.

Payment of contributions to joint board.

15. The joint board shall issue precepts to the component authorities respectively stating the sums required for the time being to be contributed by the said authorities and requiring the said authorities respectively within a time to be mentioned in such precepts to pay the amounts of their respective contributions to the joint board and thereupon the component authorities respectively shall take the proceedings necessary to obtain the amount of their respective contributions and pay the same to the joint board in accordance with the terms of such precepts.

Meetings of joint board.

16.—(1) A meeting of the joint board shall take place in every year on the first Saturday following the day on which the election of elective members of the joint board has been completed.

(2) After the said meeting the joint board shall meet at least once in every month on some day to be fixed at the last preceding meeting of the said board and if no such day is fixed then on the first Saturday in every month.

Chairman and vice-chairman of joint board.

17. At the meeting of the joint board which takes place in every year next after the completion of the election of members of the board they shall appoint one of their members chairman and another member vice-chairman of the joint board Such chairman and vice-chairman shall hold office until the next annual appointment of a chairman and vice-chairman unless he has previously died resigned or ceased to be a member of the joint board In the event of the death or resignation of such chairman or vice-chairman or of his ceasing to be a member of the joint board the joint board at the next meeting after such vacancy has taken place shall appoint another member of the joint board to fill the vacancy.

Conduct of business at meetings of joint board

18. At all meetings of the joint board the chairman or in his absence the vice-chairman shall preside and if at the commencement of any meeting the chairman and vice-chairman are both absent the members of the board present shall elect one of themselves to preside at such meeting until the chairman or vice-chairman takes the chair.

Questions to be decided by a majority of votes.

19. Every question at any meeting of the joint board consisting of more than three members shall be determined by a majority of the votes of the members present and in any case in which there is an equality of votes on any question that question shall be deemed to be lost provided that where there is an equality of votes at the election of chairman or vice-chairman or the chairman of a meeting it shall be determined by lot which of the persons receiving an equal number of votes shall be chairman or vice chairman or the chairman of the meeting as the case may be.

Vote of chairman

20. The chairman presiding at any meeting of the joint board shall be entitled to give one vote on each question submitted to the joint board but he shall not under any circumstances be entitled to any additional or casting vote.

Quorum of joint board.

21. No act at any meeting of the joint board shall be valid unless three members at least are present and if no greater number of members be present unless all of them concur therein.

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A.D. 1902.

Dungar.

22 The accounts of the joint board shall be made up in such form and to such days in each year as may be appointed by the Local Government Board and shall be audited by such auditor of the Local Government Board as they may appoint for the purpose The auditor so appointed shall with respect to the accounts of the joint board have the like powers and be subject to the like obligations in every respect as in case of an audit under the Local Government (Ireland) Act 1871 as amended by any enactment and any person aggrieved by the decision of the auditor shall have the like rights and remedies as in the case of such last-mentioned audit If upon any audit of the accounts of the joint board it is ascertained that the board have a surplus of receipts over expenditure such surplus shall be dealt with in such manner as the Local Government Board may direct The proportion of the salary of the auditor to be paid by the joint board shall be determined by the Local Government Board and shall be paid accordingly to such bank or person as that Board may direct.

Audit of accounts of joint board.

34 & 35 Vict. c 109.

23. All the costs charges and expenses of the component authorities and the Local Government Board of and incidental to the application for preparation making and confirmation of this Order and all arrears of the salary of the caretaker of the Dungar burial ground due at the date of the first election of members of the joint board shall be paid and contributed by the component authorities respectively in proportion to the rateable values of the property in their respective districts and shall be a first charge on the rates leviable in the united district.

Costs and expenses of Order and arrears of salary.

24. The adjustment Order of the Local Government Board dated the fourteenth day of August one thousand nine hundred and one relating to the component authorities is hereby annulled

Annulment of Order.

25. This Order may be cited as the Dungar Joint Burial Board Order 1902.

Short title.

SCHEDULE.

Name of District	Name of District Council	No. of Elective Members
The Rural District of Roscrea No 1 -	The District Council of Roscrea No. 1 -	7
The Rural District of Roscrea No. 2 -	The District Council of Roscrea No 2 -	6
The Rural District of Roscrea No. 3 -	The District Council of Roscrea No 3	5

Given under our Seal of Office this First day of May in the year of our Lord One thousand nine hundred and two

(L S.) (Signed) H. A Robinson.

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A.D. 1902.

PORTADOWN AND BANBRIDGE JOINT WATERWORKS BOARD.

Portadown and Banbridge.

Provisional Order forming a United District under Section 12 of the Public Health (Ireland) Act 1878.

41 & 42 Vict. c. 52

WHEREAS the councils of the urban districts of Portadown and Banbridge are the sanitary authorities within the meaning of the Public Health (Ireland) Act 1878 (in this Order referred to as "the Act") of their respective districts:

Now therefore We the Local Government Board for Ireland (in this Order referred to as "the Local Government Board") in pursuance of the powers given to Us by section 12 of the Act and of any other powers enabling Us in that behalf do hereby order that from and after the date of the Act confirming this Order the following provisions shall have effect namely:—

Formation of district.

1. The urban districts of Portadown and Banbridge (in this Order referred to as "the component districts") shall be formed into a united district to be called the Portadown and Banbridge Joint Waterworks District (in this Order referred to as "the united district") for the purpose of providing a supply of water for the component districts.

Constitution of governing body.

2. The joint board which shall be the governing body of the said united district shall consist of two ex-officio and twelve elective members and shall be called the Portadown and Banbridge Joint Waterworks Board (in this Order referred to as the "joint board").

Ex-officio and elective members.

3. The ex-officio members shall be the chairman for the time being of each of the said councils and the elective members shall be elected by the said councils (in this Order referred to as "the component authorities").

Number of elective members.

4. The number of members of the joint board to be elected by each of the component authorities shall be eight by the district council of Portadown and four by the district council of Banbridge and the said members shall be chosen by each of the component authorities from among its own members.

Disqualification.

5 Such of the provisions of Article 12 of the schedule to the Local Government (Application of Enactments) Order 1898 as relate to members of district councils shall with the necessary modifications apply to members of the joint board.

Date of first election.

6. The first election of members of the joint board shall take place at a meeting of each of the component authorities to be held within six weeks after the confirmation of this Order or within such further time as the Local Government Board may allow and seven days' previous notice in writing of such meeting shall be given or sent to each member of the component authority by the clerk to such authority.

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Portadown and Banbridge.

7. The clerk to each of the component authorities shall notify the Local Government Board in writing within seven days after the first election the names address and occupation of each of the persons elected by such authority as a member of the joint board.

Notification to Local Government Board of members first elected.

8. After the first election an annual election of members of the joint board by the component authorities shall take place at the meeting of each of the said authorities held next after the first day of April in each year.

Annual election.

9. Each member of the joint board shall continue in office until he dies or resigns or becomes disqualified or vacates his seat for absence or until the next annual election of members of the joint board by the body by which he was elected whichever first happens.

Continuance in office.

10. Any vacancy occurring amongst the members of the joint board shall be filled by the component authority in whose representation the vacancy happens at a meeting to be held within six weeks of such vacancy occurring or within such further period as the Local Government Board may determine and seven days' previous notice in writing of such meeting shall be given or sent to each member of the component authority by the clerk to such authority and such clerk shall forthwith notify in writing the clerk to the joint board the name address and occupation of the person elected to fill such vacancy.

Casual vacancies.

11. Subject to the express provisions in that behalf contained in this Order the business at elections of members of the joint board shall be conducted and all questions shall be put and decided in the same manner as other business is conducted and other questions are put and decided at the meetings of the component authorities respectively.

Proceedings at elections.

12. The joint board constituted as aforesaid shall be a body corporate by the name of "the Portadown and Banbridge Joint Waterworks Board" and shall have perpetual succession and a common seal with power to acquire and hold lands for the purposes in this Order mentioned.

Incorporation of joint board.

13. The joint board shall for the purpose of providing a supply of water for the component districts and with respect to the united district be authorised to exercise and perform and shall be subject to all powers rights duties capacities liabilities and obligations which a sanitary authority is by the Public Health (Ireland) Acts 1878 to 1896 authorised to exercise and perform or is subject to with respect to the district of such authority and the joint board may with the sanction of the Local Government Board exercise the power of supplying and selling water to persons in adjoining districts conferred by section 2 of the Public Health (Ireland) Act 1896.

Powers rights duties &c. of joint board.

59 & 60 Vict. c. 54

14. The expenses to be incurred by the joint board in the execution of this Order shall be defrayed out of a common fund to be contributed by the component districts in such proportions as the component authorities may by agreement determine or in default of such agreement as the Local Government Board may fix.

Expenses of joint board.

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Portadown and Banbridge.

Meetings of joint board.

15.—(1.) A meeting of the joint board shall take place in every year on the first Saturday following the day on which the election of elective members of the joint board has been completed.

(2.) After the said meeting the joint board shall meet at least once in every month on some day to be fixed at the last preceding meeting of the said board and if no such day is fixed then on the first Saturday in every month.

Chairman and vice-chairman of joint board.

16. At a meeting of the joint board which takes place in every year next after the completion of the election of members of the board they shall appoint one of their members chairman and another member vice-chairman of the joint board Such chairman and vice-chairman shall hold office until the next annual appointment of a chairman and vice-chairman unless he has previously died resigned or ceased to be a member of the joint board In the event of the death or resignation of such chairman or vice-chairman or of his ceasing to be a member of the joint board the joint board at the next meeting after such vacancy has taken place shall appoint another member of the joint board to fill the vacancy.

Conduct of business at meetings of joint board.

17. At all meetings of the joint board the chairman or in his absence the vice-chairman shall preside and if at the commencement of any meeting the chairman and vice-chairman are both absent the members of the board present shall elect one of themselves to preside at such meeting until the chairman or vice-chairman takes the chair.

Questions to be decided by a majority of votes.

18. Every question at any meeting of the joint board consisting of more than three members shall be determined by a majority of the votes of the members present and in any case in which there is an equality of votes on any question that question shall be deemed to be lost provided that where there is an equality of votes at the election of chairman or vice-chairman or the chairman of a meeting it shall be determined by lot which of the persons receiving an equal number of votes shall be chairman or vice-chairman or the chairman of the meeting as the case may be.

Vote of chairman.

19. The chairman presiding at any meeting of the joint board shall be entitled to give one vote on each question submitted to the joint board but he shall not under any circumstances be entitled to any additional or casting vote.

Quorum of joint board.

20. No act at any meeting of the joint board shall be valid unless three members at least are present and if no greater number of members be present unless all of them concur therein.

Audit of accounts of joint board.

21. The accounts of the joint board shall be made up in such form and to such days in each year as may be appointed by the Local Government Board and shall be audited by such auditor of the Local Government Board as they may appoint for the purpose The auditor so appointed shall with respect to the accounts of the joint board have the like powers, and be subject to the like obligations in every respect as in case of an audit under the Local Government (Ireland) Act 1871 as amended by any enactment and any person aggrieved by the decision of the auditor shall have the like rights and remedies as in the case of such last-mentioned audit If upon any audit of

34 & 35 Vict. c. 109.

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the accounts of the joint board it is ascertained that the board have a surplus of receipts over expenditure such surplus shall be dealt with in such manner as the Local Government Board may direct The proportion of the salary of the auditor to be paid by the joint board shall be determined by the Local Government Board and shall be paid accordingly to such bank or person as that Board may direct.

Costs and expenses of Order.

22. All the costs charges and expenses of the component authorities and the Local Government Board of and incidental to the application for preparation making and confirmation of this Order shall be paid and contributed by the said authorities respectively in proportion to the rateable values of the property in their respective districts and shall be a first charge on the rates leviable in the united district.

Short title.

23. This Order may be cited as the Portadown and Banbridge Joint Waterworks Board Order 1902.

Given under our Seal of Office this Thirtieth day of April in the year of our Lord One thousand nine hundred and two.

(L.S.) (Signed) H A. Robinson

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Local Government (Ireland) Provisional Orders (No. 3).

BILL

To confirm certain Provisional Orders of the Local Government Board for Ireland relating to the Dungar Joint Burial Board and the Portadown and Banbridge Joint Waterworks Board.

(*Prepared and brought in by Mr. Attorney-General for Ireland and Mr. Wyndham.*)

Ordered, by The House of Commons, *to be Printed,* 6 *May* 1902.

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